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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
GALBRAITH & PAUL, INC., :

Plaintiff, : Civil Action No. 07-10512 (PKC)

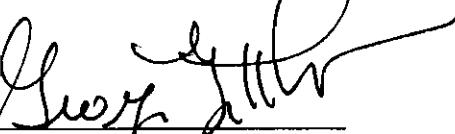
v. : -----X

RUBY TUESDAY, INC., : ECF Case

Defendant. : X

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN the attorneys for the parties herein that Plaintiff may file the amended complaint annexed hereto by or on January 25, 2008. By so stipulating, defendant Ruby Tuesday, Inc. does not waive or limit its right to seek a transfer.


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 GOTTLIEB, RACKMAN & REISMAN, P.C.
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*By not moving to transfer at this
juncture, defendant does not waive
its 1404(a) appeal.*


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 Attorneys for Defendant
 Ruby Tuesday, Inc.

SO ORDERED:


 The Honorable P. Kevin Castel
 United States District Judge

1-23-08